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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Lawrence J. Mika

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EXAMINER

OSBORNE, LUKE R

ART UNIT

PAPER NUMBER

2123

DATE MAILED: 04/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/603,408	<b>Applicant(s)</b> MIKA, LAWRENCE J.	
	<b>Examiner</b> Luke Osborne	<b>Art Unit</b> 2123	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 24 January 2006.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

### ***Claim Status***

1. Claims 1-10 have been presented for reconsideration. Claim 11 has been added. Claims 1-11 are now pending in the instant application. Claims 1-11 stand rejected.

2. Applicants' arguments submitted 07/19/2005 have been fully considered, Examiners response is as follows.

### ***Claim Rejections - 35 USC § 112***

3. Claims 1-11 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. Claim 1 recites the limitation of "using only a single translation" in line 9. Applicants' specification does not contain any description of how this is performed. Since there is no description or definition of the terms used in the limitation "using only a single translation" this limitation is not enabled. Applicant is encouraged to specifically point out where in the specification where enabling support for this limitation resides.

### **Applicant's Argument**

Because the specification does not disclose more than one translation, the limitation of "using only a single translation" is an inherent disclosure. There is no disclosure of a secondary translation process.

**Examiner's Response**

Examiner is aware that the subject matter of the claim need not be described literally (i.e., using the same terms or in haec verba) in order for the disclosure to satisfy the description requirement. Furthermore Examiner does not contest that Applicant describes a translation process. Applicant's are relying on there being no disclosure of a secondary translation process present in the specification to provide support for "using only a single translation" to distinguish from the art applied. Examiner finds this unpersuasive. Applicant's point to the specification where "[a]ll or a portion of the fields of the record are then fully or partially translated, following all or a portion of the directions in the interface File Definition (step 506)." Applicant's appear to define "using only a single translation" by that citation from the speciation. If this did provide enablement for "using only a single translation" the following portion of Coleman discloses such a limitation

Therefore, in step 201, if the user desires to use one or more intermediate data environments in the data conversion process, the user enters information regarding the respective intermediate environments and units and parts for each of the respective intermediate environments. These definitions are received by the system in step 201. **It is noted that the creation of intermediate environments is optional depending upon the user's application.** Column 10, lines 25-32 emphasis added

***Claim Rejections - 35 USC § 102***

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

4. Claims 1-6, 8-11 are rejected under 35 U.S.C. 102(b) as being anticipated by Coleman of record.

Regarding claim 1, Colman discloses a computer-implemented method for facilitating the translation of files between formats. See figures 2B and 3 and the corresponding portions of Colman's specification for this teaching. In particular, Colman discloses "A method for facilitating the translation of files comprising:

- establishing, via a host computer, definitions comprising at least one of sorting criteria, filter criteria, data range, file format, [the present invention can also be used to perform conversions of the file formats] accounting codes, and formatting criteria [adjusting the formatting] [Column 6, lines 9-24];
- creating, via said host computer, an interface file including said definitions [Figure 3, item 202];
- reading, via said host computer, data from a first source [Figure 3, item 212];
- reading, via said host computer, said definitions contained in said interface file [Figure 3, item 202];
- translating, via said host computer, using only a single translation of said data from said first source according to said definitions contained in said interface file [Figure 3, item 216] and
- saving, onto host computer, said interface file [Figure 1]" as claimed.

Art Unit: 2123

### **Applicant's Argument**

Coleman does not disclose or suggest at least "translating, via said host computer, using only a single translation of said data from said first source according to said definitions contained in said interface file".

### **Examiners Response**

The crux of Applicant's arguments rely on the resolution of the §112 rejection above. Until the phrase "using only a single translation" has been distinguished from the Examiners broad reasonable interpretation Applicant's supposed distinctions are unpersuasive.

Regarding claim 2, Colman discloses the method of claim 1 "wherein said establishing step comprises:

- receiving<sup>1</sup> information regarding a type of said interface file to be created;
- receiving data regarding a desired file format; and
- receiving formatting data regarding a format of said data being translated

[In order to begin the data conversion process, a user is first required to input information regarding the input data in input data format and the desired output data format for the converted data. (Column 8, lines 21-24)]" as claimed.

Regarding claim 3, Colman discloses the method of claim 2 "wherein said receiving formatting data step comprises: entering said formatting data for each field of

Art Unit: 2123

said data being translated [Thus, here the user specifies the data format of the input environment including all of the tables or units and all of the parts or fields of the respective records in each of the respective tables. (Column 8, lines 50-53)]” as claimed.

Regarding claim 4, Colman discloses the method of claim 3, “wherein said formatting data comprises:

- a field name;
- a description;
- a length of the field;
- an indicator of fixed-width/variable width status;
- a mask to force data into a particular style;
- justification information;
- position information; and
- element information [Thus, here the user specifies the data format of the input environment including all of the tables or units and all of the parts or fields of the respective records in each of the respective tables. (Column 8, lines 50-53)] [The present invention also includes a data mapping object for records which utilize this field definition referred to herein as parts. Parts define the actual interworkings of a record, i.e., the type, the size, and the format of a respective record. In the example described above, the parts of the above employee data

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<sup>1</sup> Examiner notes the amendment to claim 2 changing entering (which requires the user as disclosed) to

Art Unit: 2123

record would be the name field, the social security number field, the salary field, the date of birth field, etc. (Column 8, lines 5-11)]” as claimed.

Regarding claim 5, Colman discloses the method of claim 4 “wherein said element information comprises:

- information regarding a type of said data in said field, wherein said information comprises at least one of:
  - a calculated expression;
  - a static table entry;
  - alphanumeric information; and
  - a query [Thus, here the user specifies the data format of the input environment including all of the tables or units and all of the parts or fields of the respective records in each of the respective tables. (Column 8, lines 50-53)] [The present invention also includes a data mapping object for records which utilize this field definition referred to herein as parts. Parts define the actual interworkings of a record, i.e., the type, the size, and the format of a respective record. In the example described above, the parts of the above employee data record would be the name field, the social security number field, the salary field, the date of birth field, etc. (Column 8, lines 5-11)].

Regarding claim 6, Colman discloses the method of claim 2 “further comprising:

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receiving, receiving has been interpreted as –receiving user—as is consistent with the specification.



- selecting a template file as a starting point for creating the interface file  
[Figure 3, item 200 - 202];
  - entering data regarding a sorting preference [Figure 3, item 204 - 208];
- and
- entering data regarding a filtering preference.” as claimed. [Figure 3, item 204 - 208]

Regarding claim 8, Colman discloses the method of claim 1 “wherein said translating step further comprises:

creating a second source of a predetermined type;  
writing said data to said second source; and,  
saving said second source [In step 218 the converted output data is stored in a destination medium. It is noted that this destination medium may be the same medium on which the input data was stored or may be a new medium (second source) (Column 15, lines 15-18)]” as claimed

Regarding claim 9, Colman discloses the method of claim 1 “wherein said step of establishing definitions further comprises establishing definitions having a property relating to a data field [the present invention can also be used to perform conversions of the file formats ... adjusting the formatting (Column 6, lines 9-24)]” as claimed.

Art Unit: 2123

Regarding claim 10, Colman discloses the method of claim 9 "wherein said property includes at least on of

– field name, description, status, length flag, length, minimum length, maximum length, format mask, justification, pad character, quote, delimiter flag, start position, end position, counter interment flag, element, query field, static table entry, counter, fixed test, expression, character function and common expression [the present invention uses field definition data objects referred to as parts which define the inner workings of a record, i.e., the type, the size, and the format, etc. of each field in a record (Column 2, line 57- Column 3, line 5)]" as claimed.

Regarding claim 11, Colman discloses the method of claim 1 "wherein said step of creating, via said host computer, an interface file includes creating only one interface file [Figure 3, item 202]" as claimed .

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Art Unit: 2123

5. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Coleman in view of Free On-Line Dictionary of Computing definition of the term "wizard" <<http://foldoc.doc.ia.ac.uk/foldoc/foldoc.cgi?wizard>> printed 6/1/05, created (1998-09-07) hereafter "FOLDOC".

Regarding claim 7, Coleman discloses the method of claim 1 wherein said step of establishing definitions comprises establishing definitions based upon a user via a user interface.

Coleman, does not expressly teach that the [step of establishing definition comprises establishing definition based upon **a response to a question presented to a user** via a user interface (emphasis added)].

FOLDOC teaches the use of a "wizard" or [FOLDOC: an interactive help utility that guides the user through a potentially complex task ... (4<sup>th</sup> definition)]

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to use the "wizard" functionality as disclosed by FOLDOC with the system as described by Coleman.

The motivation for doing so would have been to allow an average user (one with out particular knowledge of the complexities of a system as required by Coleman Figure 3, items 204-208) to perform expertly as disclosed by FOLDOC [4<sup>th</sup> definition, lines 3-5].

***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Luke Osborne whose telephone number is (571) 272-4027. The examiner can normally be reached on 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul L. Rodriguez can be reached on (571) 272-3753. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2123

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LRO

  
Paul L. Rodriguez 4/3/06  
Special Primary Examiner  
Art Unit 2125 2123